

# A Recap of the NAC 2021 Fall Recommendations on Differential Privacy

**Jason Devin**

**Population Division**

**Nicholas Jones**

**Population Division**

**Michael Hawes,**

**Research and Methodology**

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# Fall 2021 NAC Recommendations

1. The NAC recommends that the Census Bureau report to the NAC on the lessons learned of its stakeholder engagement and tribal consultations on the application of the Disclosure Avoidance System (DAS) and differential privacy to the P.L. 94-171 redistricting data, and report to the NAC on its findings before February 1, 2022, to include:
  - The extent to which the Census Bureau's Federal Register Notices about DAS and differential privacy resulted in stakeholder feedback desired by the Bureau
  - The extent to which the use of jargon and technical terms impeded communications to stakeholders, data users and the public about the DAS and privacy measures being implemented by the Bureau
  - The effectiveness, objectivity, and accuracy of press reporting on the Census Bureau's efforts to implement the DAS and privacy measures to the 2020 Census
  - The extent to which all the Census Bureau's outreach accurately identified all known priority use cases
  - The impact that the timing of decisions on the DAS and differential privacy had on the range of consultation and stakeholder engagement the Census Bureau would have preferred to do
  - What the lessons learned are from the Census Bureau's outreach and consultations, and how those lessons can be applied to future stakeholder engagement including to the DHC file

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2. The NAC recommends that the Census Bureau apply DAS and differential privacy to the DHC and DDHC in a matter that allows for accurate data on smaller populations, including at the sub-county and tribal area level.
3. The NAC recommends that the Census Bureau explain the impact of decoupling the redistricting file and the DHC file for the goal of making the 2020 Census data more accurate.
4. The NAC recommends that the Census Bureau report on outreach to other federal agencies to include: the input the Bureau received from federal agencies on the use of census data in funding formulas for federal programs; and the guidance that the Census Bureau provides to those agencies on limitations and uses of that data, including limitations due to data quality issues.
5. The NAC recommends that the Census Bureau create a catalog of all federal or state statutorily or regulatorily required uses of data from the DHC and/or DDHC, and consider that catalog, in addition to feedback solicited from stakeholders, as it completes its decision-making with the Data Stewardship Executive Policy Committee (DSEP) on the application of the DAS to DHC and DDHC.

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6. The NAC recommends that the Census Bureau engage in discussion/dialogue with appropriate congressional leadership on the new DAS for 2020 Census to include: a) the impact of private, third-party “Big Data” on Census disclosure avoidance and the Bureau’s Title 13 confidentiality-protection obligations; b) any differences in the privacy value or confidentiality-protection imperative with respect to different Census-collected data points (e.g. race, sex, age, etc.); and c) recommendations to modify any statutorily mandated uses of DHC or DDHC data or any statutorily mandated data releases in response to the new DAS for Census 2020.
7. The NAC recommends that the Census Bureau revisit its decision to ensure data consistency between PL 94-171 and DHC data releases to determine if abandonment of that decision would appreciably increase the accuracy of DHC data release.
8. The NAC recommends that the Census Bureau evaluate its education and public engagement efforts on DAS and its application to the PL 94-171 release with respect to three different audiences: a) stakeholders/ data users; b) Members of Congress and other policymakers; and c) general public, and that the Bureau report on its evaluation to the NAC, including how its evaluation has altered plans with respect to education / engagement on DAS in application to the DHC and DDHC.
9. The NAC recommends that the Census Bureau produce a timeline and plan for the timely release of DDHC data by detailed racial/ethnic subgroup in order to enable compliance with health/safety obligations of stakeholders, especially in light of decisions made with respect to 2020 ACS data. The plan for timely and accurate DDHC data should include proactive outreach to stakeholders, and sufficient time for stakeholders to provide feedback on priority tables and delivery formats.

# COMMITTEE DISCUSSION

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